

REMARKS

The applicants have carefully considered the official action dated October 31, 2007, and the references cited therein. In the official action, claims 1-40 were rejected under 35 U.S.C. § 112, second paragraph; claims 1-10, 12-18, 20-27, 29-37, and 39 were rejected under 35 U.S.C. § 101; claims 1, 5-10, 12, 15-18, 21-26, 29, and 32-37 were rejected under 35 U.S.C. § 102(b) as anticipated by Shal et al.; claims 11, 19, 20, 27, 28, and 38-40 were rejected under 35 U.S.C. § 103(a) as unpatentable over Shal et al.; claims 1, 5-10, 12, 15-20, 29, and 32-27 were rejected under 35 U.S.C. § 102(b) as anticipated by Chovin et al.; and claims 11, 19, 20, and 38-40 were rejected under 35 U.S.C. § 103(a) as unpatentable over Chovin et al. In addition, the examiner objected to the specification for not including a summary section.

By way of this response, the applicants have amended claims 1, 7, 10, 12, 18, 21, 23, 26, 29, 34, and 39. In view of the foregoing amendments and the following remarks, the applicants respectfully traverse the rejections and submit that all pending claims are in condition for allowance. Notification to that effect is earnestly solicited.

I. The Objection to the Specification

The applicants respectfully submit that the specification complies with 37 C.F.R. 1.77(b). In particular, the applicants respectfully submit that a summary section is not required. On the contrary, 37 C.F.R. 1.77(b) merely sets out guidelines for a permissible specification format indicating, “The specification *should* include the following...” See 37 C.F.R. 1.77(b) (emphasis added). However, 37 C.F.R. 1.77(b) does not indicate the specification shall or must include a summary section. Accordingly, the applicants elect not to incorporate the optional summary section and respectfully request withdrawal of the objection to the specification.

II. The Rejections under 35 U.S.C. § 112, Second Paragraph

The examiner contends that claims 1, 12, 21, 29, and 39 are indefinite as to “a number of loops value” and “a remaining count value.” The applicants respectfully submit that the amendments of claims 1, 12, 21, 29, and 39 overcome the rejections under § 112, second paragraph. Specifically, each of the claims has been amended to recite that the number of loops value represents a number of counter rollover events. In addition, each of the claims has been amended to delete the term “remaining” therefrom. Accordingly, the applicants respectfully submit that claims 1-40 comply with the 35 U.S.C. § 112, second paragraph, and respectfully request withdrawal of the § 112 rejections.

III. The Rejections under 35 U.S.C. § 101

The applicants respectfully submit that all pending claims are directed to statutory subject matter. The pending claims are not directed to mere data manipulations in the abstract. Instead, each claim involves a physical transformation and produces a useful, concrete, and tangible result. For instance, the number of loops recited in claim 1 is not a mere value, but is a value that represents a number of counter rollover events as recited in claim 1. In addition, claim 1 recites storing the number of loops value in a memory, which is a physical device. Further, the delay time recited in claim 1 is not a mere value, but is a useful, concrete, and tangible result corresponding to the passage of time. Further, claim 1 recites generating this delay time (or passage of time) using a counter, which is a physical device. Thus, the operations recited in claim 1 perform a physical transformation by using a counter to generate a delay time (a passage of time), and such delay time or passage of time is a useful, concrete, and tangible result. The same reasoning applies to independent claims 12, 21, 29, and 39. Accordingly, in view of the foregoing, the applicants respectfully submit that all claims comply with 35 U.S.C. § 101 and respectfully request withdrawal of the § 101 rejections.

IV. The Rejections under 35 U.S.C. § 102(b)

The applicants respectfully submit that independent claim 1 is allowable over the art of record. Independent claim 1 is directed to a method for generating a delay time that involves, *inter alia*, storing a number of loops value in a memory, wherein the number of loops value represents a number of counter rollover events. Shal et al. do not describe or suggest storing a number of loops value in a memory, wherein the number of loops value represents a number of counter rollover events. Although Shal et al. do describe that a summation of a time out value and a present counter value can be greater than an overflow value of a timer, Shal et al. describe dropping the most significant bit of the summation result. *Shal et al.*, 4:33-36. Dropping and, thus, discarding a bit is the opposite of storing a bit. Thus, Shal et al. do not describe or suggest storing a number of loops value in a memory, wherein the number of loops value represents a number of counter rollover events as recited in claim 1.

Further, Chovin et al. do not describe or suggest storing a number of loops value in a memory, wherein the number of loops value represents a number of counter rollover events. As the examiner points out, Chovin et al. do describe decrementing a number of hours using a down-counter 14. *Chovin et al.*, 3:25 and 26. However, the number of hours described by Chovin et al. is not related to a number of counter rollover events. Instead, the number of hours is counted using a counting operation of the down-counter 14 without involving a rollover event of the down-counter 14. Thus, Chovin et al. do not describe or suggest storing a number of loops value in a memory, wherein the number of loops value represents a number of counter rollover events as recited in claim 1.

Accordingly, in view of the foregoing, the applicants respectfully submit that independent claim 1 and all claims dependent thereon are in condition for allowance.

The applicants respectfully submit that independent claim 12 is also allowable over the art of record. In particular, at least for the reasons discussed above in connection with claim 1, neither Shal et al. nor Chovin et al. describe or suggest instructions stored in a memory that enable the processor system to store a number of loops value in the memory or a second memory, wherein the number of loops value represents a number of counter rollover events. Accordingly, the applicants respectfully submit that independent claim 12 and all claims dependent thereon are in condition for allowance.

The applicants respectfully submit that independent claim 21 is also allowable over the art of record. In particular, at least for the reasons discussed above in connection with claim 1, neither Shal et al. nor Chovin et al. describe or suggest a loop counter to modify a number of loops value stored in a memory, wherein the number of loops value represents a number of counter rollover events. Accordingly, the applicants respectfully submit that independent claim 21 and all claims dependent thereon are in condition for allowance.

The applicants respectfully submit that independent claim 29 is also allowable over the art of record. In particular, at least for the reasons discussed above in connection with claim 1, neither Shal et al. nor Chovin et al. describe or suggest instructions stored on a computer readable medium that, when executed, cause a machine to store a number of loops value in a memory, wherein the number of loops value represents a number of counter rollover events. Accordingly, the applicants respectfully submit that independent claim 29 and all claims dependent thereon are in condition for allowance.

The applicants respectfully submit that independent claim 39 is also allowable over the art of record. In particular, at least for the reasons discussed above in connection with claim 1, neither Shal et al. nor Chovin et al. describe or suggest instructions stored in a flash memory that enable the processor system to store a number of loops value in at least one of the flash memory or a second memory, wherein the number of loops value represents a

number of counter rollover events. Accordingly, the applicants respectfully submit that independent claim 39 and all claims dependent thereon are in condition for allowance.

V. The Rejections under 35 U.S.C. § 103(a)

The applicants respectfully submit that because the art of record does not describe or suggest each and every element of each of the independent claims 1, 12, 22, 29, and 39 for at least the reasons discussed above, the art of record cannot render the claims *prima facie* obvious.

VI. Conclusion

In view of the foregoing, the applicants respectfully submit that all pending claims are in condition for allowance. Favorable reconsideration is respectfully requested. The Commissioner is hereby authorized to refund any overpayment and charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 1.17 to Deposit Account No. 50-2455.

Respectfully submitted,

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